

REMARKS

Claims 12-16 and 23-35 are pending in the application.

The drawings filed on October 14, 2003 are objected to under 37 CFR 1.83(a).

Claims 24 and 28-32 are rejected under 35 U.S.C. § 112.

Claims 28-32 are rejected under 35 U.S.C. § 102(b).

Claims 12-16, 23, 25-27, 33 and 34 are allowed.

Claims 24, 28 and 29 are amended.

Claim 35 is added.

No new matter is added.

Applicants request reconsideration and allowance of the claims in light of the above amendments and following remarks.

Drawings

The drawings filed on October 14, 2003 are objected to under 37 CFR 1.83(a) because they allegedly fail to show one of more vertical planes as variously recited in claims 24 and 25.

Applicants respectfully submit that the FIGS. show the vertical planes which are the subject of the present objection. Nevertheless, for the purpose of expediting prosecution, Applicants hereby amend claim 24 to remove references to the objected-to terminology. Applicants also amend claim 28 to recite wherein the first, second, and third upper interconnection lines overlapping the first, second, and third lower interconnection lines, respectively, and amend claim 29 to recite wherein the fourth upper interconnection line is parallel to the third upper interconnection line and is between the first and second upper interconnection lines. Applicants respectfully submit that the amendments to claims 28 and 29 are clearly shown in FIGS. 5A-5D. In view of the above, Applicants respectfully request withdrawal of the present objection to the drawings.

Claim Rejections - 35 U.S.C. § 112

Claims 24 and 28-32 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, claims 24, 28 and 29 are rejected under 35 U.S.C. § 112, first paragraph, under the same rationale as presented above with respect to the objection to the drawings.

As mentioned above, Applicants hereby amend claim 24 to remove references to the objected-to terminology. Applicants also amend claim 28 to recite wherein the first, second, and third upper interconnection lines overlapping the first, second, and third lower interconnection lines, respectively, and amend claim 29 to recite wherein the fourth upper interconnection line is parallel to the third upper interconnection line and is between the first and second upper interconnection lines. Applicants respectfully submit that the amendments to claims 28 and 29 are clearly shown in FIGS. 5A-5D. In view of the above, Applicants respectfully request withdrawal of the present rejection of claims 24, 28 and 29 under 35 U.S.C. § 112, first paragraph.

In addition, Applicants respectfully submit that claim 24 is in immediate condition for allowance because the claim depends from allowed claim 23 and now fully complies with the written description requirement of 35 U.S.C. § 112, first paragraph.

Claim Rejections - 35 U.S.C. § 102

Claims 28-32 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,261,883 issued to Koubuchi, et al. (hereinafter “Koubuchi”). Applicants respectfully traverse this rejection.

Amended claim 28 recites, among other elements, an interlayer insulating layer disposed on a surface of the substrate having the lower interconnection lines, wherein a top surface of the interlayer insulating layer includes a plurality of sloped surfaces corresponding to the first, second, and third lower interconnection lines, wherein a focus area is defined over the plurality of sloped surfaces; and upper interconnection lines disposed parallel to each other on the top surface of the insulating layer....” Support for this amendment can be found at, for example, FIG. 4F and at page 11, lines 1-8 of the application as originally filed. Applicants respectfully submit that Koubuchi fails to teach or suggest at least these elements as now recited in claim 28.

For example, FIG. 1 of Koubuchi shows wherein the top surface of the insulating film 12 is completely planar. See, e.g., Koubuchi, column 14, lines 31-34. Moreover, Applicants respectfully submit that it would not be obvious to provide the top surface of the insulating film 12 to have a plurality of sloped surfaces as such a modification would fundamentally alter the manner in which the device of Koubuchi is formed and would render the device of Koubuchi unsatisfactory for its intended purposes. See M.P.E.P. § 2143.01(V)(VI).

For at least the reasons presented above, Applicants respectfully submit that Koubuchi neither anticipates claim 28 nor renders the claim obvious.

Claims 29-32 depend from claim 28 and, therefore, include each and every element recited in claim 28. Accordingly, Applicants respectfully submit that Koubuchi neither anticipates claims 29-32 nor renders the claims obvious.

Allowable Subject Matter

Applicants appreciate the allowance of claims 12-16, 23, 25-27, 33 and 34.

In addition, Applicants submit that claim 24 is in immediate condition for allowance because the claim depends from allowed claim 23 and now fully complies with the written description requirement of 35 U.S.C. § 112, first paragraph.

New Claims

Support for new claim 35 can be found at, for example, FIG. 4F and at page 11, lines 1-8 of the application as originally filed.

CONCLUSION

For the foregoing reasons, Applicants request reconsideration and allowance of claims 24, 28-32 and 35 of the application as amended. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,
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